

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KELLY TOBUCK,		:	
	Plaintiff,	:	
		:	23 Civ. 1356 (LGS)
-against-		:	
		:	<u>ORDER</u>
DAVID C. BANKS, et al.,		:	
	Defendant.	:	
-----X		:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference in this matter is scheduled for April 19, 2023. On April 12, 2023, the parties filed a joint letter and proposed case management plan in advance of the conference stating that no discovery is necessary and that the parties intend to file motions for summary judgment based on the administrative record. It is hereby

ORDERED that the April 19, 2023, initial pretrial conference is **CANCELLED**. It is further

ORDERED that the parties' anticipated cross-motions for summary judgment shall be briefed as follows:

- Plaintiff shall file her motion for summary judgment by **May 12, 2023**. Any memorandum of law accompanying her motion shall not exceed twenty-five pages.
- Defendants shall file their cross-motion for summary judgment and opposition to Plaintiff's motion for summary judgment, not to exceed thirty pages, by **June 2, 2023**.
- Plaintiff shall file her opposition to Defendants' motion and reply in support of her motion, not to exceed fifteen pages, by **June 16, 2023**.
- Defendants shall file their reply in support of their cross-motion, not to exceed ten pages, by **June 30, 2023**.

Notwithstanding the aforementioned page limits, each party has discretion over how to allocate its respective forty pages total of briefing across its two briefs, provided neither party exceeds forty pages of briefing total. It is further

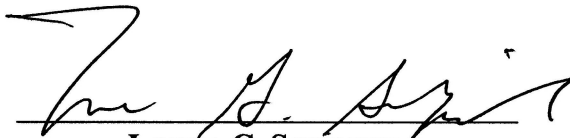
ORDERED that the parties shall Bates-stamp the administrative record such that each page has a unique Bates number. It is further

ORDERED that, in lieu of separate Local Rule 56.1 statements, the parties shall file a joint statement of undisputed facts (“Joint Statement”), with citations to the Bates-stamped record, by the time that the first brief is due. The parties shall indicate any disputed facts clearly in the Joint Statement. It is further

ORDERED that decision on the parties’ request to file the administrative record under seal is reserved. Upon filing of the Joint Statement, Plaintiff shall file a letter stating what portions of the Administrative Record it wishes to file under seal and giving the reasons in support of sealing. It is further

ORDERED that, within two days of the cross-motions being fully briefed, the parties shall email Schofield_NYSDChambers@nysd.uscourts.gov a text-searchable copy of the Bates-stamped Record and a Word version of the Joint Statement. Except as provided here, the parties shall follow the Individual Rules on motions, exhibits and courtesy copies.

Dated: April 13, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE